

**AN ORDINANCE
BY COUNCILMEMBER IVORY LEE YOUNG, JR.**

**AN ORDINANCE TO AMEND ORDINANCE 02-0-2107 FOR THE
PAYMENT OF COSTS ASSOCIATED WITH IMPLEMENTING THE
NEWCOMB & BOYD STUDY AT THE CHASTAIN AMPHITHEATRE;
AND FOR OTHER PURPOSES.**

WHEREAS, on December 01, 2002, the Atlanta City Council adopted Ordinance 02-0-2107 which in section 2 stated in part the following:

That in 2003 Chastain Park Amphitheater would implement the
Recommendations from the consultant Newcombe and Boyd study.
The joint venture over the park entity would be responsible for
All the costs associated with the implementation of these
recommendations; and

WHEREAS, the Atlanta City Council in the renewal agreement passed in December 2000 that the venture shall pay the city as additional rent the sum of one dollar (\$1.00) multiplied by the number of seats sold to events (excluding any seats sold to city sponsored events) presented during each calendar year of the initial renewal term (2001-2010) and any optional terms which are effective thereafter. Further, that the additional amounts paid under this section of the renewal agreement shall be held by the city in a dedicated trust account to be used solely for the purposes of studying elevating sound and noise control problems at the facility and for improving sound control systems at the facility in order to protect the peace and enjoyment of citizens residing in the vicinity for the facility; and

WHEREAS, the venture has paid this additional amount of money to the city for the concert seasons in the year 2001 and 2002; and

WHEREAS, this additional dedicated fund now has a sum certain in the fund for improvements to the sound system to be made by the venture prior to the 2003 concert seasons.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That Section 2 of Ordinance 02-0-2107 shall be amended to read that in 2003 Chastain Park Amphitheater would implement the recommendations from the

consultant Newcombe and Boyd Study. The joint venture over the park entity would be responsible for all costs associated with implementation of the recommendations and many be reimbursed for such costs from the dedicated fund as and to the extent that such funds are allocated by the city for such purposes..

Section 2. That all ordinances and pats of ordinances in conflict herewith are hereby repealed.